

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITY OF TENNESSEE RESEARCH
FOUNDATION,

Plaintiff,

-v-

CAELUM BIOSCIENCES, INC. *et al*,

Defendants.
-----X

23 Mc. 182 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On June 2, 2023, Movant Trustees of Columbia University in the City of New York, on behalf of its employees Dr. Andrew Eisenberger, Sara Gusik, and Orin Herskowitz, filed a motion to quash a subpoena issued by the Eastern District of Tennessee and requested that that motion be transferred to the Eastern District of Tennessee, where the underlying litigation is being conducted. Dkt. 1 at 1, 3; Dkt. 1-1 at 2. On June 12, 2023, Respondent University of Tennessee Research Foundation opposed the motion to quash, but consented to transfer of the motion to the Eastern District of Tennessee. Dkt. 11 at 2. Therefore, the Clerk of Court is respectfully directed to immediately transfer this case to the Eastern District of Tennessee. *See* Fed. R. Civ. P. 45(f) (“When the court where compliance is required did not issue the subpoena, it may transfer a motion under this rule to the issuing court if the person subject to the subpoena consents or if the court finds exceptional circumstances.”); Dkt. 1 at 4 (“This Court should transfer this Motion because Dr. Andrew Eisenberger, Ms. Sara Gusik, and Mr. Orin Herkowitz consent to the transfer.”)

SO ORDERED.

Dated: June 13, 2023
New York, New York



JOHN P. CRONAN
United States District Judge